

ORIGINAL

TODD W. EDDINS, #5544
1001 Bishop Street
Pauahi Tower, Suite 1320
Honolulu, Hawaii 96813
Telephone No. 808 538.1110
Facsimile No. 808 528.2440
E-Mail: Eddins@Eddinsdefense.com

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 27 2006

at 10 o'clock and 00 min. AM
SUE BEITIA, CLERK

Attorney for Defendant James Troiano

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 05-00261 HG
Plaintiff,)
vs.) NOTICE OF MOTION; MOTION
JAMES TROIANO, (01)) TO DISMISS COUNTS 3 AND 4 OF
Defendant.) THE INDICTMENT;
) MEMORANDUM OF LAW IN
) SUPPORT OF MOTION; EXHIBIT
) "A"; CERTIFICATE OF SERVICE
) Date: March 17, 2006
) Time: 9:00 a.m.
) Judge: HELEN GILLMOR
)

NOTICE OF MOTION

TO: CLAIRE CONNORS
Assistant United States Attorney
Room 6100, PJKK Federal Building
300 Ala Moana Blvd.
Honolulu, Hawaii 96850

PLEASE TAKE NOTICE that the following motion will be heard before the
Honorable Judge Helen Gillmor in her courtroom in the United States Courthouse,

300 Ala Moana Boulevard, on March 17, 2006 at 9:00 a.m.

DATED: Honolulu, Hawaii February 27, 2006.



TODD EDDINS
Attorney for Defendant James Troiano

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 05-00261 HG
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Plaintiff,) MOTION TO DISMISS COUNTS 3
) AND 4 OF THE INDICTMENT
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JAMES TROIANO, (01)) Date: March 17, 2006
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MOTION TO DISMISS COUNTS 3 AND 4 OF THE INDICTMENT

Defendant James Troiano, by and through counsel Todd Eddins, moves the Court for an order dismissing counts 3 and 4 of the indictment.

This motion is based on the Fifth Amendment to the United States Constitution, Federal Rules of Criminal Procedure Rules 7, 12, and 47, the Memorandum of Law in Support of Motion, and any evidence or argument presented at a hearing on the motion

DATED: Honolulu, Hawaii, February 27, 2006



TODD EDDINS
ATTORNEY FOR JAMES TROIANO